



STATE OF HAWAII

WIRELESS ENHANCED 911 BOARD

February 11, 2010

Department of Accounting and General Services
Comptroller's Conference Room 410
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813

Minutes

Board Members in attendance: Russ Saito – Chair (Comptroller), Gordon Bruce (Oahu PSAPs), Deputy Chief Paul Ferreira (Hawaii PSAP), Russell Lundberg (Wireless Carrier – Mobi PCS), Captain Victor Ramos (Molokai PSAP), Deputy Chief Clayton Tom (Maui PSAP), Goldie Cross (Wireless Carrier – AT&T), James LaClair (Hawaiian Telcom), Eric Knutzen (Kauai PSAP)

Staff in attendance: Glenn Roach – Executive Director, Courtney Tagupa, Kerry Yoneshige (DAGS ASO), Patricia Ohara (Deputy Attorney General)

Guest in attendance: David Peck, Morris Tamanaha, Tony Ramirez, Major Marie McCauley, Lt. Aimee Wana, Captain Scott Yagihara, Battalion Chief Kenison Tejada, Kevin Kuwahara, Paul Epstein, Patrick Chan, Thalia Burns

I. Call to order

Chair called the meeting to order at 10:00 A.M.

II. Introductions

III. Review and Approval of Minutes from January 8, 2010 Board Meeting.

Mr. LaClair made a motion to approve the minutes of the January 8, 2010 Board Meeting.

Mr. Lundberg seconded the motion

No further discussion

The motion passed unanimously by voice vote

IV. Committee Updates by Chairs.

a. Finance Committee

Mr. Lundberg stated that the Executive and Finance Directors introduced the idea of being more strategic about budgeting and funding. Mr. Lundberg requested that the PSAPs present their spending plan for the remainder of this year.

- b. Technical Committee-Nothing to report
- c. Policies and Objectives Committee-Nothing to report
- d. Administration Committee-Nothing to report
- e. Public Relations Committee-Nothing to report

V. PSAP Status Updates

a. Kauai

Mr. Knutzen stated that there was still a challenge with periodic failing of CAD. He indicated the due date for proposals is February 24, 2010, with a tentative award date of April 30, 2010. Centerline data with Pictometry in cooperation of Akimeka, LLC is outstanding. Chair Saito inquired as to when the protest interval starts on the RFP.

- b. Oahu-Nothing to report
- c. Molokai-Nothing to report
- d. Maui-Nothing to report
- e. Hawaii-Nothing to report

VI. Executive Director's Report

a. Update on 9-1-1 Assessment

The Executive Director stated that a draft of the survey for the assessment will be completed for review by the next meeting.

b. Update on 2010 DHS Grants

The Executive Director stated that he had done further research on these grants, and as was discussed at the previous Board Meeting, these grants were only available to local government through the normal DHS channel and process and 9-1-1 was an eligible expense for consideration in a couple of the categories. He stated that another Grant Program from the National Highway Traffic Safety Administration would be available to the States, specifically for 9-1-1 in the future. Hawaii's eligibility for these grants would be determined on what happens to our funds based on pending legislation. The Executive Director indicated the report to the FCC in reference to use of 9-1-1 funds will be due the end of March.

VII. Monthly Financial Report

a. Disbursements from the Wireless Enhanced 911 Fund

Mr. Tagupa provided an update on the status of direct deposit by the carriers to submit funds via electronic funds transfer or via lock box. He indicated all of the carriers chose the lock box option.

Mr. Tagupa then presented the current month's financial report (attached)

VIII. Items for Discussion, Consideration and Action

a. Financial Report

The Executive Director stated that the Finance Committee decided to include an additional line on the financial report that shows encumbrances. This current report now reflects encumbrances as requested. Next month's report will also include proposed expenditures for the next 3 years. Mr. Tagupa then stated there was an estimated cash balance at end of fiscal year of \$7.6M. He indicated there were \$15M in potential expenditures for next year, but that the appropriations ceiling had not been raised above \$9M. Chair Saito presented the question to Mr. Yoneshige, if the ceiling on the fund was part of the Executive Budget? Mr. Yoneshige indicated that it was and that it is still at \$9M. Chair Saito indicated that based on that it would not change and would remain at \$9M. He also indicated that is what was in the budget and any excess was subject to a raid. The question was raised by Mr. Bruce if that meant there was not a chance that the ceiling would be raised. The Chair indicated that was the case, unless the Governor could be convinced to go in with a message to raise the ceiling. Mr. Bruce inquired as to how much time was available to make that request. The Chair placed that question to Mr. Yoneshige, who stated the House had already presented their budget. Mr. Bruce inquired if the "wheels had been put into motion" to make that request. The Chair indicated that a request had not been made. Mr. Bruce asked the question on the process to make the request. The Chair stated that if the Board wanted to make a request, it would have to go through his office to make the request of the Governor. Mr. Bruce inquired if this was the appropriate time for a motion. The Chair asked for procedural clarification from the Deputy Attorney General Ohara. The Executive Director indicated that request had already been made in December during the Board's budget approval process. The Deputy Attorney General concurred that the request had been made previously. Mr. Bruce stated that a request had to go to the Governor before the end of this month. The statement was made that such a request would be denied because the Governor had already indicated she was going to raid the fund. Mr. Bruce once again, presented the question as to what point the request would have to be made to the Governor, considering the request had come from the Board in December. He then stated that the monies are in the fund, so that we were not asking for more money. The Chair stated he could generate a letter on behalf of the Board to raise the ceiling. The Chair then cautioned the Board that the Legislature was not looking to raise the ceiling but that they were looking to take the money. He stated that they are looking at any account that has a cash balance. Mr. Lundberg then stated that more important than our efforts to raise the ceiling was the ability to spend the funds that had already been provided. He stated that we were already 60% through the current fiscal year, and had only spent 36% of what was available. Mr. Knutzen inquired of the Chair if the Board could make the Legislature aware of the encumbrances and that even though there has only been 36% currently expended, but in fact by the end of the fiscal year it currently shows it will be at 92%? The Chair stated that the problem was if the Board spent it up to the ceiling this year, it would be the first time and that the Board has always under spent. Mr. Knutzen stated that the main concern was liquidity and that they would not raid the fund, but would instead keep the monies intact. Mr. Bruce stated that if we have made the request that we haven't even indicated it is an issue, and that this year we are already a year behind, and not raising the issue would mean another year we would be behind. The Chair reiterated that he could

generate the letter on behalf of the Board, conveying the message to the Governor, that the Board has requested that she lifts the ceiling. Mr. Knutzen then inquired if in the letter we could request her support in convincing the Legislature not to raid the fund. The Chair indicated, he would present whatever the Board's request is. Mr. Bruce presented the question, as a PSAP could they generate a letter in support of the letter from the Chair on behalf of the Board. The Chair indicated it had to be clear that you were speaking as a PSAP and not a member of the Board. Mr. Ramirez inquired if this letter should also convey to the Governor that the raiding of the funds is contrary to public law? The Chair indicated he didn't follow that request. Mr. Ramirez then explained that funds collected by wireless carriers for 9-1-1 cannot be used for any other purposes than 9-1-1. The Chair inquired as to what public law this was included in. Mr. Ramirez stated that it was in Public Law 110-283 and 108-494. The Chair stated that if someone could provide him with a copy of that law he would review it, but in most cases, those laws have a lot of discretion left with local governments. The Chair stated that if it was going to be attached to the letter that it would have to get to him today. The Executive Director indicated he would get it to him that day.

- b. Oahu/Honolulu PD request to contract with a firm for Addressing, MSAG and GIS reconciliation project

The Executive Director explained that the Oahu PSAPs have met on several occasions with GIS representatives from the city and county and identified some major issues relating to MSAG and GIS. He indicated there was an incident last year and they believe there is some liability for the City and County based on current condition of addressing and MSAG. The PSAPs have requested to pursue a contract with a firm that will come in and take care of the issues and work with city and county to reconcile the GIS data. Mr. Bruce explained there are particular problems in areas with multiple housing situations that do not front on a public street. The Chair stated, there needs to be a rationale describing this as a wireless E911 service versus a utilization of the wireless E911 service to accommodate wireline. Mr. Bruce stated there was a documented decline with wireline phones and wireless phones. Almost 70% of 911 calls are wireless calls, from residences with no address. The discussion continued, in addition, private roads do not have names or association with current MSAG or GIS data: when a wireless call comes in there is no way to determine where the call is originating. Only an XY coordinate would be accurate. No streets are associated with the XY coordinates. The Chair inquired if it was the opinion of the technical and finance committee this is wireless E911 service. This has nothing to do with wire line. Wireless calls cannot be taken to the level to provide a street address. MSAG was established with wire line service. MSAG requirements are equal for wire line and wireless. Counties provide the phone company with addresses for wire line phones, counties do not provide the phone company with addresses for wireless phones. There has been precedence with all other islands. The Chair stated that he was not opposed to it, but there is no way to tie a wireless to an address.

Mr. Knutzen made a motion that funds be allocated up to \$705,000 to support the City and County GIS Addressing effort, not to exceed \$176,250 for this fiscal year as long as funds are available.

Mr. LaClair seconded the motion

No further discussion

The motion passed unanimously with a voice vote

- c. Authorization to send 5 staff members from the Honolulu Police, Fire and EMS PSAPs and the Executive Director to Maui to review the work effort related to 9-1-1 Addressing, MSAG and GIS

Finance Committee recommended approval with cap of \$1500 for request.

Mr. LaClair made a motion to authorize sending 5 staff members from the Honolulu Police, Fire and EMS PSAPs and the Executive Director to Maui to review the work effort related to 9-1-1 Addressing, MSAG and GIS with the stipulation that it not exceed \$1,500

Mr. Lundberg seconded the motion

No further discussion

The motion passed unanimously with a voice vote

- d. Update on NextGen Communications (TCS) filing to provide 9-1-1 Services before the Hawaii PUC

The Executive Director stated that he had reviewed the filing and in his opinion did not see anything that has any affect on the board.

The Chair presented the question on what technology they were using. The Executive Director stated that TCS is a third party provider that provides routing and database services to wireless and VoIP Carriers, much like Intrado.

No further discussion or action was required.

- e. Legislative Update
 - i. Strategy for responding to legislation which could have an impact on the Board or 9-1-1 service in Hawaii

The Chair indicated that he had provided testimony on the audit Bill. He indicated the other Bill that was still alive from last year hasn't been scheduled for hearing. Mr. LaClair indicated there had been a lengthy discussion at the Joint Committee Meeting the previous day.

The Executive Director indicated there is a report on Legislation that could have an impact on 9-1-1 in the Board packet. Mr. LaClair stated that the Joint Committee had felt we had 2 categories to keep on top of (1) active in participating in testifying on Bills associated with raiding the funds, were the priority. We might require assistance from Executive Director to get better

participation from Board. (2) HB1014 and SB2769 are very similar to our bill, that in many ways take us back to bill 1014. The quickest way to adopt our version is to go to senate bill, and a lot of the entities would not support this version. How do we go forward? Senate bill has some good language, based upon how long it took to do last version there is no way to modify it with the time limitation. Mr. LaClair indicated Deputy Chief Ferreira recommended going to sponsor of senate bill and ask them to remove their bill and use ours. This might be the quickest way to move forward. As a group, we need to advocate more on the issues of raiding of funds. The third front was the spending ceiling, least priority. The Chair made the statement if you don't raise the ceiling they will raid the funds. Mr. Knutzen stated if we reach \$9M this year, and reach ceiling next year, would we then have liquidity? Mr. Tagupa indicated the fund should be at \$16M. Should be fine for next year, should we not get raided. The discussion then moved to HB1014, SB2769 and the Board proposed language. Mr. LaClair asked for clarification on how we move forward to get HB1014 heard. The Chair inquired of the Deputy Attorney General if an Investigative Committee could be appointed to carry out the task. He also asked if the Investigative Committee could be tasked to testify on behalf of the Board. Her responses were in the affirmative to both questions. Mr. LaClair volunteered to be part of the Committee and that it should be lead by Battalion Chief Tejada. The Chair indicated that the Investigative Committee had to have very strict guidelines on what they provided testimony on. Discussion then moved on how the Board communicates with the Legislature to get the Bill heard. The Chair indicated that he would make an attempt, but if he could not then he needed to appoint an Investigative Committee to carry out the task. The Chair appointed Mr. Bruce, Ms. Cross and Mr. LaClair as the Investigative Committee and indicated that everyone else was free to testify as individuals.

The Executive Director asked for clarification on the actions taken by the Joint Committee for the Executive Director to draft a position paper on the legality of raiding the fund and a 2nd paper on the fact that the funds have been allocated for future years. In addition, he was to draft a template for the PSAPs to use to provide testimony. The Chair indicated the issue was the raising of the ceiling to prevent the raiding of the funds. The Chair indicated that the Executive Director should move forward with the draft of these documents and get it out to the Board by the following day.

f. Board Funding related to Federal/Military PSAPs

Based on the discussion at the previous Committee Meeting, the Executive Director presented the question to deputy attorney general and she said the board should not be funding military and federal PSAPs. The reason is the definition of public safety agency within the law. A public safety agency means a functional division of the state or county that provides or has authority to provide or private entity contracted by state or county, says nothing about federal or military.

The Chair inquired of Mr. Bruce on how this affected Oahu. Mr. Bruce indicated they had not had the opportunity to meet with the military PSAPs. He indicated, so many pieces are integrated, carving things out by percentage of calls, so many variables, and mutual aid, need to sit and document real implications. Ms. Cross

indicated AT&T had a site on the base and there were implications on the routing of calls. The Chair inquired what specifically generated this discussion.? The Executive Director indicated there was an overall discussion at the last Joint Committee Meeting on the budget and available funds, in addition to the use of funds staying in Hawaii and not distributed to US Treasury. The Chair inquired as to what's the next step as far as Mr. Bruce is concerned? The Executive Director indicated that the Board has been receiving request directly from military PSAPs for reimbursement. He stated; based on law we can't honor those request. Federal PSAPs are receiving funds from the Navy. The Board instructed the Executive Director to follow-up with Oahu on the implications.

g. TracFone Certification Request

The Executive Director presented TracFone's request for certification of its SafeLink service. He explained that there were 2 options for certification; either by individual PSAPs or statewide. He recommended working with PSAPs, Akimeka and Oahu to make sure the PSAPs are in agreement and that TracFone is in compliance to provide a statewide certification.

No further action was taken

- h. Authorization to send the Executive Director, Board Members and PSAP Representatives to 9-1-1 Goes to Washington in Arlington, VA – March 14 - 17, 2010

The Executive Director Stated the Finance Committee recommended that there be a stipulation of no more than 2 persons per PSAP with a cap of \$30K to be allowed.

Mr. Knutzen made the motion to authorize the Executive Director, Board Members and PSAP Representatives to 9-1-1 Goes to Washington in Arlington, VA – March 14 - 17, 2010 with the stipulation that there be no more than 2 persons per primary PSAP and a cap of \$30, 000

Ms. Cross seconded the motion.

The motion passed unanimously with a voice vote

- i. Nomination and election of Board Chair and Vice-Chair

The Executive Director said the law requires there be an annual election of the Chair. There was a point of clarification if the standing chair removes himself from proceedings. The Executive Director indicated he was not aware of any such rule. There was another point of clarification as to the requirements in the Law. The only policy that was recognized was that there was no term limits.

Mr. Lundberg nominated Chair Saito as Chair.

Mr. LaClair seconded the nomination.

Mr. Bruce made a motion to close the nomination

Mr. Lundberg' seconded the motion

The vote by a show of hands was unanimous to elect Mr. Saito as the Chair for another term.

Ms. Cross nominated Deputy Chief Ferreira as vice Chair

Mr. LaClair seconded the nomination

Mr. Lundberg made a motion to close the nominations

The motion was seconded

There was a unanimous vote by voice to elect Deputy Chief Paul Ferreira as vice Chair

IX. Announcements.

The Chair indicated he had spoken to Senator Inouye's staff, in relationship to be a keynote speaker for the PSAP Forum. They indicated there was a congressional break the last part of March and into the first week of April. The Chair asked her to tentatively hold some dates for that time, but that the PSAP Forum Group had to come up with some recommended firm dates.

The Executive Director stated that he had received email notification from new Consumer Advocate Dean Nishina, replacing Catharine on the Board

The Executive Director stated the Governor did not approve 2nd year contract for Intrado, so the contract expired February 4, 2010.

X. Next meeting date – Thursday, March 11, 2010

XI. Adjournment

The meeting was adjourned at 11:39 A.M.

Wireless Enhanced 911 Board

February 11, 2010

10:00 a.m.

Department of Accounting and General Services
Comptroller's Conference Room
1151 Punchbowl Street, Honolulu, HI 96813

Name	Agency	Phone
1. Paul L. Ferreira	HAWAII PD	
2. UCRICK PATRICK	MPD	
3. CLAYTON TOM	MPD	
4. GLENN YAGIHARA	KAUAI POLICE	
5. Tony Ramirez	ARIMEXA LLC	
6. PAT OHANA	Attorney General	
7. CLAYTON TOM	MPD	
8. JAMES LACLAIR	HAWAIIAN TEL	
9. Eric Knutson	Kauai	
10. Courtney Tabora	Arimexco Technologies LLC	
11. Goldie Cross	ATT	
12. David Peck	Pictometry	
13. Kenison Tejeda	Kenison Tejeda	
14. G. BRUCE	CATC HR	
15. Morris Tamarahe	CNRH RDC	
16. KEVIN KUWAHARA	HAWAIIAN TELCOM	
17. Paul EPSTEIN	HPD	
18. Patrick CHAU	HPD	
19. MARIE McCauley	HPD	
20. Thalia Prouns	HPD	
Kerry Ymols	DALS	

Wireless Enhanced 911 Board

February 11, 2010

10:00 a.m.

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Comptroller's Conference Room
1151 Punchbowl Street, Honolulu, HI 96813

Name	Agency	Phone
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